

MALIN, HALEY & DiMAGGIO, P.A.

PATENT, TRADEMARK & COPYRIGHT ATTORNEYS

RECEIVED
CENTRAL FAX CENTER

OCT 18 2005

EUGÈNE F. MALIN (1936-1990)

BARRY L. HALEY
DALE PAUL DiMAGGIO

DAVID JOHNSON*
JERRY D. HAYNES**
JOHN C. BLACK***
OF COUNSEL
*North Carolina Bar Also
**New York Bar Also
***Illinois Bar Only

REPLY TO:
1936 South Andrews Avenue
FORT LAUDERDALE, FLORIDA 33316
TELEPHONE (954)763-3303-FAX (954)522-6507

MIAMI OFFICE:
2000 SOUTH DIXIE HIGHWAY, SUITE 203
TELEPHONE (305) 374-4082

WEST PALM BEACH OFFICE:
500 AUSTRALIAN AVE SOUTH, SUITE 600
TELEPHONE (561) 832-6341

E-MAIL: info@mhdpatents.com

TELECOPIER COVER SHEET

DATE: OCTOBER 18, 2005

OUR FILE NO: 9215.4803

TO: UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR PATENTS

ATTENTION: EXAMINER CHRISTOPHER R. HARMON, ART UNIT 3721

TELECOPIER NO: 571-273-8300

FROM: DALE PAUL DiMAGGIO, ESQ.

REGARDING: LOOSE FILL PACKING MATERIAL AND
APPARATUS FOR MANUFACTURING SAME

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: 5

[NOTE: IF YOU DO NOT RECEIVE THE NUMBER OF PAGES LISTED ABOVE, OR IF YOU HAVE ANY PROBLEMS WITH RECEIVING, PLEASE CALL OUR OFFICE AND ASK FOR DEDI]

SPECIAL NOTE:

AMENDMENT - ELECTION

PRIVACY AND CONFIDENTIALITY NOTICE

The information contained in the facsimile transmission is confidential and private; it is intended to be disclosed only to the individual(s) to whom it is addressed. Any other person who reads, uses and/or discloses the information it contains may be violating Federal and/or State rights of the sender and the intended recipient(s). If this fax has been transmitted to the wrong number, please immediately destroy it and notify the sender of the mistaken transmission by fax or telephone. Thank you.

Serial Number: 10/710,446

File Number: 9215.4803

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY that the following correspondence: *Patent Amendment Transmittal Letter and one (1) photocopy of the same; Amendment and Election* is being facsimile transmitted to examiner Christopher R. Harmon at the Patent and Trademark Office Fax No. (571) 273-8300, on this 18th day of October 2005.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.

Any additional charges, including extension of time, please bill our Account

No. 13-1130.


Dedi L. Whitman, Paralegal

Date: October 18, 2005

MALIN, HALEY & DiMAGGIO, P.A.
CUSTOMER NUMBER 22235
1936 South Andrews Avenue
Fort Lauderdale, Florida 33316
Tel: (954) 763-3303
Fax: (954) 522-6507

140215FORMS4803-AMEND-FAXING

In re Application of : Levine, Norman D.
Serial No. : 10/710,446
Filed : July 12, 2004
For : **LOOSE FILL PACKING MATERIAL AND
APPARATUS FOR MANUFACTURING SAME**

OCT 18 2005

Fax Amendment - No Fee
COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL LETTER

Sir:

- ☒ Transmitted herewith is an amendment in the above-identified application.
- ☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.
- ☒ No additional fee is required.


The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		RATE	ADDIT. FEE
TOTAL	* 48	MINUS	** 48	= 0	x\$25	\$ 0.00		x\$50	\$
INDEP	* 3	MINUS	*** 3	= 0	x\$100	\$ 0.00		x\$200	\$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					x\$150	\$ 0.00		X\$300	\$
					TOTAL ADDIT. FEE		\$0.00	OR	\$ 0.00

- ☐ Please charge our Deposit Account No. 13-1130 in the amount of \$. A duplicate copy of this sheet is attached.
- ☐ A Request for a _____ Extension of Time together with a check in the amount of \$ _____.00 for the fee is attached.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-1130. A duplicate copy of this sheet is attached.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☒ If there are any additional charges, including extensions of time, please bill our Deposit Account No. 13-1130.

MALIN, HALEY & DIMAGGIO, P.A.
1936 South Andrews Avenue
Ft. Lauderdale, FL 33316
(954) 763-3303

Respectfully submitted,


Dale Paul DiMaggio, Reg. No. 31,823

CLIENT NO. 22235

I:\9215\fm\4803.amendment transmittal

FORM PTO-1083

RECEIVED
CENTRAL FAX CENTER

Case Docket No. 9215.4803

In re Application of : Levine, Norman D.
 Serial No. : 10/710,446
 Filed : July 12, 2004
 For : **LOOSE FILL PACKING MATERIAL AND
 APPARATUS FOR MANUFACTURING SAME**

OCT 18 2005

Fax Amendment - No Fee
 COMMISSIONER FOR PATENTS
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL LETTER

Sir:

- ☒ Transmitted herewith is an amendment in the above-identified application.
- ☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.
- ☒ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PAID FOR	PRESENT EXTRA
TOTAL	* 48	MINUS	** 48	= 0
INDEP	* 3	MINUS	*** 3	= 0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY

RATE	ADDIT. FEE
x\$25	\$ 0.00
x\$100	\$ 0.00
x\$150	\$ 0.00

OTHER THAN A
SMALL ENTITY

RATE	ADDIT. FEE
x\$50	\$
x\$200	\$ 0.00
X\$300	\$

TOTAL
ADDIT. FEE

\$0.00

OR

\$ 0.00

- ☐ Please charge our Deposit Account No. 13-1130 in the amount of \$. A duplicate copy of this sheet is attached.
- ☐ A Request for a _____ Extension of Time together with a check in the amount of \$____.00 for the fee is attached.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-1130. A duplicate copy of this sheet is attached,
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☒ If there are any additional charges, including extensions of time, please bill our Deposit Account No. 13-1130.

MALIN, HALEY & DiMAGGIO, P.A.
 1936 South Andrews Avenue
 Ft. Lauderdale, FL 33316
 (954) 763-3303

Respectfully submitted,


 Dale Paul DiMaggio, Reg. No. 31,823

CLIENT NO. 22235

OCT 18 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

October 18, 2005

In re application of : Levine, Norman D.
Serial No. : 10/710,446
Filed : July 12, 2004
For : **LOOSE FILL PACKING MATERIAL AND
APPARATUS FOR MANUFACTURING SAME**
Examiner : Harmon, Christopher R.
Art Unit : 3721
Our File No. : **9215.4803**

AMENDMENT - ELECTION


Fax Amendment - No Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Examiner Harmon:

In response to the Examiner's Restriction Requirement in the Office Action mailed October 6, 2005, Applicant makes a preliminary election to Group I, claims 1-44 and 48, for prosecution on the merits.

Any additional charges, including Extensions of Time, please bill our Deposit Account No. 13-1130.

Respectfully submitted,


Dale P. DiMaggio, Reg. No. 31,323
Malin, Haley & DiMaggio, P.A.
1936 South Andrews Ave.
Ft. Lauderdale, Florida 33316
Tel: (954) 763-3303
Fax: (954) 522-6507

I:\9215\Amend\4803.election